

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RAYMOND RUDDER,
Petitioner,

v.

RAYMOND BOOKER,
Warden,
Respondent.

Case No. 07-12664
Hon. Anna Diggs Taylor
Magistrate Judge Charles E. Binder

**ORDER ACCEPTING MAGISTRATE'S REPORT AND RECOMMENDATION ON
PETITIONER'S MOTION TO STAY HABEAS CORPUS PROCEEDINGS and
RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE**

This matter is before the Court on Magistrate Judge Charles E. Binder's Report and Recommendation of January 31, 2008, finding that Petitioner is entitled to a stay and abeyance of his habeas corpus proceedings pending his return to state court to exhaust claims raised by *Crawford v. Washington*, 541 U.S. 36 (2004).

The Court has reviewed the file and the Magistrate Judge's Report and Recommendation. No objections have been filed. The Court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

Therefore, the Court will accept the Magistrate's Report and Recommendation of January 31, 2008, as the findings and conclusions of this Court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Binder's Report and Recommendation [d/e 7] of January 31, 2008, is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Petitioner's [d/e 7] motion to stay habeas corpus proceedings is GRANTED with the appropriate time limits as set forth in the Report and Recommendation and Respondent's [d/e 5] motion for extension of time to file response is DENIED as moot.

IT IS SO ORDERED.

s/ Anna Diggs Taylor
ANNA DIGGS TAYLOR
UNITED STATES DISTRICT JUDGE

Dated: March 4, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on March 4, 2008.

s/Johnetta M. Curry-Williams
Case Manager